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Hon. Assistant Commissioner of Patents, Box Missing Parts, Washington, D. C. 20231 on July 7, 1998.

TOWNSEND and TOWNSEND and CREW LLP

By Kim M. Goplen

PATENT

Attorney Docket No. 17634-000320

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
Brian R. Murphy et al.)
)
Serial No. 09/083,793)
)
Filed: May 22, 1998)
)
For: PRODUCTION OF ATTENUATED)
)
PARAINFLUENZA VIRUS)
)
VACCINES FROM CLONED)
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NUCLEOTIDE SEQUENCES)
)

Examiner: Not Assigned

Art Unit: 1711

RESPONSE TO NOTICE TO FILE
MISSING PARTS

RECEIVED
98 JUL 17 AM 11:09
GROUP 180

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application dated June 19, 1998, enclosed herewith are the following to be made of record in the above-identified patent application:

- (1) Declaration and Power of Attorney
- (2) Copy of the Notice to File Missing Parts.

The Commissioner is hereby authorized to charge the following fees:

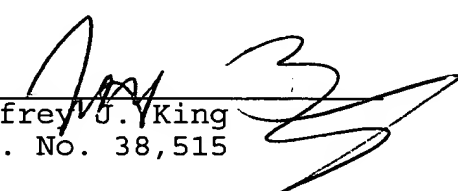
Missing Parts Surcharge.....	\$ 130
Basic Filing Fee.....	\$ 790
Total 128 - 20 = 108 x 22.....	2,376
Independent 7 - 3 = 4 x 82.....	<u>328</u>
Total.....	\$3,624

and any additional fees under 37 CFR §1.17 associated with this paper or during the pendency of this application, to Townsend and Townsend and Crew LLP Deposit Account No. 20-1430. Two copies of this sheet are enclosed for accounting purposes.

Respectfully submitted,

Dated: July 7, 1998

By:


 Jeffrey J. King
 Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP
 Two Embarcadero Center, 8th Fl.
 San Francisco, CA 94111-3834
 (206) 467-9600

JJK/kg
 Enclosures

I:\17634\3\2\NTFMP

Section 1



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
097083.793	05/22/98	MURPHY	B. 17634-000320

TOWNSEND AND TOWNSEND AND CREW
JEFFREY J. KING
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

NOT ASSIGNED

1711

DATE MAILED:

06/19/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☐ non-small entity is \$ 3624.00

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ 290 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 2704, including any multiple dependent claim fees, are required.

\$ 328 for 4 independent claims over 3.

\$ 2376 for 128 dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42-1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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